

ELECTRONICALLY FILED  
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CLERK OF THE SEDGWICK COUNTY DISTRICT COURT  
CASE NUMBER: 2017-CV-002475-OT



**Court:** Sedgwick County District Court  
**Case Number:** 2017-CV-002475-OT  
**Case Title:** State of Kansas ex rel Derek Schmidt Atty General  
vs. Joshua White  
**Type:** Order for Default Judgment Against Defendant

SO ORDERED.

A handwritten signature in cursive script that reads "Warren M. Wilbert".

/s/ Honorable Warren Wilbert

Sarah M. Dietz KS #27457  
Assistant Attorney General  
Office of the Kansas Attorney General  
120 S.W. 10<sup>th</sup> Avenue, 2nd Floor  
Topeka, Kansas 66612-1597  
Tel: (785) 296-3751  
Fax: (785) 291-3699  
sarah.dietz@ag.ks.gov

**IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS**

<b>STATE OF KANSAS, <i>ex rel.</i></b>	)	
<b>DEREK SCHMIDT, Attorney General,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	<b>CASE NO. 2017-CV-2475</b>
<b>JOSHUA WHITE, an individual</b>	)	
<b>d/b/a OLD TOWN ROOFING &amp; REMODELING, LLC)</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**(Pursuant to K.S.A. Chapter 60)**

**ORDER FOR DEFAULT JUDGMENT AGAINST DEFENDANT**

At this time this matter comes on for Plaintiff’s Motion for Default Judgment against the Defendant Joshua White d/b/a Old Town Roofing & Remodeling, Inc. and Memorandum in Support (“Motion for Default Judgment”) comes before this Court for consideration. The State of Kansas *ex rel.* Derek Schmidt, appears by and through counsel, Assistant Attorney General Sarah M. Dietz. The Defendant Joshua White d/b/a Old Town Roofing & Remodeling, Inc. appears not and is in default.

**WHEREUPON**, after reviewing the Court’s file and Plaintiff’s Motion for Default Judgment, the Court finds the following:

1. Plaintiff filed its Motion for Default Judgment on December 12, 2017.
2. Plaintiff’s Motion for Default Judgment is predicated on Defendant’s failure to file an answer to the Plaintiff’s Petition, which was filed on October 27, 2017.

3. A copy of the Summons and the Petition were served upon Defendant at 6147 Armstrong Street Wichita, KS 67204 via residential service, to his mother Rosetta White, on November 17, 2017, pursuant to K.S.A 60-303(d)(1)(B).

4. Defendant has failed to file an Answer within twenty-one (21) days after being served with process, as required by K.S.A. 60-212(a)(1)(A)(i).

5. Defendant is not a minor or an incapacitated person.

6. Defendant is in default pursuant to K.S.A. 60-255.

7. The factual allegations set forth in the Plaintiff's Motion for Default Judgment are adopted by the Court as its findings of fact and conclusions of law as though fully set forth herein.

**IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED** that Plaintiff's Motion for Default Judgment is granted.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Judgment is hereby entered against Defendant, Joshua White d/b/a Old Town Roofing & Remodeling, LLC in favor of Plaintiff on all Counts of the Petition.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that the actions and practices alleged in Plaintiff's Petition are declared to be deceptive and unconscionable and in violation of the Kansas Consumer Protection Act.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant, Joshua White d/b/a Old Town Roofing & Remodeling, LLC and any employees, agents, representatives, affiliates, assignees and successors are permanently enjoined from engaging in acts and practices alleged in the Plaintiff's Petition to be violations of the Consumer Protection Act.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant, Joshua White d/b/a Old Town Roofing and Remodeling, LLC and any employees, agents, representatives, affiliates, assignees and successors are permanently enjoined from soliciting, advertising or otherwise engaging in the sale of roofing services in the State of Kansas.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant, Joshua White d/b/a Old Town Roofing & Remodeling, LLC pay reasonable investigative fees and expenses to Plaintiff, pursuant to K.S.A. 50-636(c).

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant, Joshua White d/b/a Old Town Roofing & Remodeling, LLC pay a civil penalty for each violation of Kansas Roofing Registration Act, in the aggregate of \$20,000.00.

**IT IS FURTHER ORDERED, ADJUDICATED AND DECREED** that Defendant, Joshua White d/b/a Old Town Roofing & Remodeling, LLC pay all Court Costs and all costs associated with distributing and executing this judgment.

**IT IS SO ORDERED.**

**THIS ORDER IS EFFECTIVE AS OF THE DATE AND TIME SHOWN ON THE ELECTRONIC FILE STAMP.**

Respectfully submitted,

/s/ Sarah M. Dietz  
Sarah M. Dietz KS#27457  
Assistant Attorney General  
Office of the Kansas Attorney General  
120 S.W. 10<sup>th</sup> Avenue, 2nd Floor  
Topeka, Kansas 66612-1597  
Tel: (785) 296-3751  
Fax: (785) 291-3699  
sarah.dietz@ag.ks.gov